

# EXHIBIT Q



2208 North 30th Street, Suite 202, Tacoma, WA 98403 • 253.627.6401 • Toll Free: 800.649.2034 • [byersanderson.com](http://byersanderson.com)

## ONE-WEEK TRANSCRIPT TURNAROUND

Digital Transcripts • Internet Realtime • HD Legal Video • Picture-in-Picture Depositions  
Remote Witnesses • Designation Editing • Nationwide Scheduling • HD Videoconferencing

In the Matter of:

NWAUZOR

VS

GEO GROUP

---

BYRON EAGLE

*December 05, 2019*

---

Thank you for choosing Byers & Anderson for your court reporting, legal video, and videoconferencing needs. For over 35 years it has been our goal to provide you with unmatched service. Our one-week transcript turnaround is an industry leader. If there is anything we can do to assist you, please don't hesitate to let us know.

**Sarah Fitzgibbon, CCR**  
Deposition Services Lead Consultant



The Premier Advantage™ PDF transcript bundle contains:

- Full-size and condensed transcripts
- Printable word index
- Hyperlinked selectable word index
- Embedded printable exhibit scans
- Hyperlinked selectable exhibit viewing
- Common file formats: txt, lef, mdb accessed via *paperclip* icon

## NWAUZOR vs GEO GROUP Eagle, Byron - December 05, 2019

UNITED STATES DISTRICT COURT  
for the  
WESTERN DISTRICT OF WASHINGTON

NWAUZOR, et al., )  
Petitioners, )  
v. ) No. 3:17-cv-05769-RBJ  
THE GEO GROUP, INC., )  
Respondent. )

Deposition Upon Oral Examination  
of  
BYRON EAGLE

Taken at 1019 Regents Boulevard  
Fircrest, Washington

DATE: Thursday, 5 December 2019

REPORTED BY: Gloria C. Bell, CCR 3261

NWAUZOR vs GEO GROUP  
Eagle, Byron - December 05, 2019

Page 2

1 A P P E A R A N C E S  
2

3 For the Deponent Eagle:

4 CRAIG B. MINGAY  
5 Assistant Attorney General  
6 7141 Cleanwater Drive SW  
7 Olympia, Washington 98504-0124  
8 360.534.4878  
9 craigm1@atg.wa.gov

10 For the State Civil Rights Unit:

11 ANDREA BRENNKE  
12 Assistant Attorney General  
13 800 Fifth Avenue  
14 Suite 2000  
15 Seattle, Washington 98104-3188  
16 206.233.3384  
17 andreab3@atg.wa.gov

18 For the Respondent GEO:

19 JOAN K. MELL  
20 III Branches Law, PLLC  
21 1019 Regents Boulevard  
22 Suite 204  
23 Fircrest, Washington 98466  
24 253.566.2510  
25 joan@3brancheslaw.com

Also Present: ROSS PETERSON

## 1 I N D E X

2 EXAMINATION BY:	PAGE
3 Ms. Mell.....	5
4 Mr. Mingay.....	51
5 Ms. Mell.....	52

6  
7 \* \* \*

8	EXHIBIT	DESCRIPTION	FOR I.D.
9	Exhibit No. 334	Amended subpoena.....	4
10	Exhibit No. 335	Class Action Complaint.....	4
11	Exhibit No. 336	Declaration of B.Eagle.....	4
12	Exhibit No. 337	Initial filing of Complaint.....	4
13	Exhibit No. 338	SCC final Report for 10/28/11.....	4
14	Exhibit No. 339	Engrossed Substitute Senate Bill 6052.....	4

NWAUZOR vs GEO GROUP  
Eagle, Byron - December 05, 2019

Page 4

1 FIRCREST, WASHINGTON; THURSDAY, 5 DECEMBER 2019

2 1:00 P.M.

3 --00--

4 (Deposition Exhibit Nos. 334-339 was  
5 marked for identification.)

6 (Deposition started at 1:16 p.m.)

7 BYRON EAGLE, witness herein, being first duly  
8 sworn on oath, was examined and  
testified as follows: examination:

9 MS. MELL: For the record the my name is Joan  
10 Mell. I'm appearing on behalf of the GEO,  
11 respondents.

12 MS. BRENNEKE: I'm Andrea Brenneke with the  
13 Attorney General's Office and the Civil Rights  
14 Division.

15 MS. MELL: And you're here because?

16 MS. BRENNEKE: I am here because we have been  
17 consolidated for trial with the Nwauzor case, and I  
18 am representing the state in the case against GEO.

19 MS. MELL: Did you mean for discovery?

20 MS. BRENNEKE: Hmm?

21 MS. MELL: I don't think we've been  
22 consolidated for trial.

23 MS. BRENNEKE: For the liability portion of  
24 the trial.

25 MR. MINGAY: Craig Mingay with the Attorney

1 General's Office. I represent the witness.

2 **THE WITNESS: Byron Eagle with the Special**  
3 **Commitment Center.**

4 MR. PETERSON: Ross Peterson, paralegal with  
5 the Attorney General's Office.

6 EXAMINATION

7 BY MS. MELL:

8 Q. Okay. Did I say state your name? I did, didn't  
9 I?

10 A. **Nope.**

11 Q. State your name.

12 A. **Byron Eagle.**

13 Q. And your title?

14 A. **Chief of secure residential operations.**

15 Q. All right. And you have before you -- showing  
16 you what's marked as Exhibit 334. Do you recognize that  
17 document?

18 A. **Yes.**

19 Q. All right. You have been designated as a  
20 speaking agent on behalf of the State of Washington for  
21 topics six through ten as reflected in Exhibit 334.

22 A. **Yes.**

23 Q. And you're familiar with the subject matter?

24 A. **Yes.**

25 Q. And how did you become familiar with that

1           Q.    Okay.  So the state does not pay minimum wages  
2 to Special Commitment Center detainees who are working at  
3 the Special Commitment Center?

4           **A. I'm trying to follow it. Say it one more time.**  
5 **Sorry.**

6           Q.    The state -- the state has Special Commitment  
7 Center detainees doing work for it, without paying the  
8 minimum wages and without giving them vocational training.

9           MS. BRENNEKE:  Object to the form.  Compound.

10          **A. So they all participate in the vocational  
11 program if they're performing work.**

12          Q.    (By Ms. Mell) But they're not getting training,  
13 are they?

14          **A. Training in what?**

15          Q.    Well, it's not really vocational training;  
16 correct?  There's no start and stop date?

17          MS. BRENNEKE:  Object to the form.

18          **A. No.**

19          Q.    (By Ms. Mell) And there's no -- you would agree  
20 that people are cleaning the toilets who aren't getting a  
21 degree in anything?

22          **A. Right. Yes.**

23          Q.    And they're cleaning the toilets at the Special  
24 Commitment Center because they're detained by the State of  
25 Washington, and they are not paid minimum wages to do so.

1           **A. Yes.**

2           Q. And, in fact, most of the participants in the  
3 vocational -- well, strike that.

4           The program that you're talking about in your  
5 declaration, you refer to it as an RVP; is that correct?

6           **A. Yes.**

7           MS. BRENNEKE: Object to the form.

8           **A. RVP, yes.**

9           Q. (By Ms. Mell) Okay. So when I use the term RVP,  
10 anybody who's performing work at the Special Commitment  
11 Center has a status in the RVP?

12          **A. Right; yes.**

13          Q. Okay. Is there anyone who is a detainee at the  
14 Special Commitment Center who performs work but isn't in  
15 the RVP?

16          **A. Not that I'm aware of.**

17          Q. And is it correct that Mr. Calvin Malone has  
18 performed work as clerk for the chaplain at \$2.50 per hour  
19 and as a recreational clerk at 2.50 per hour for years  
20 without receiving any credentials?

21          **A. Credentials?**

22           MS. BRENNEKE: Object to the form.

23          **A. I wouldn't know exactly what credentials he may**  
24 **or not have received.**

25          Q. (By Ms. Mell) Does the Special Commitment Center

1           Q.    The kind of work that the detainees are doing  
2 includes janitorial work; is that right?  
3           **A.    Yes.**

4           Q.    Is the kind of janitorial work that is necessary  
5 to maintain the operational -- to maintain operations at  
6 the SCC?

7           **A.    Some of it, yes.**

8           Q.    Does it include food preparation?

9           **A.    Yes.**

10          Q.    And with regard to food preparation, the  
11 legislature directed the Special Commitment Center to look  
12 into more cost effective means for meal preparation at the  
13 facility; isn't that correct?

14          **A.    Yes.**

15          Q.    And I'm showing you what's been marked as  
16 Exhibit 338. Do you recognize that document? Somehow I  
17 got mine mixed up, 339. Is that the legislation that you  
18 looked at in advance of your deposition? Or at least the  
19 portion of -- the SCC portions of the legislation?

20          **A.    Yes.**

21          Q.    All right. And are you familiar with the  
22 direction from the legislature in the Budget Act from 2015  
23 directing the Special Commitment Center to review its  
24 current food services for the SCC for opportunities to  
25 consolidate and centralize, emphasizing opportunities for

C E R T I F I C A T E

STATE OF WASHINGTON )  
                         ) ss.  
COUNTY OF THURSTON )

I, the undersigned Washington Certified Court Reporter, pursuant to RCW 5.28.010, authorized to administer oaths and affirmations in and for the State of Washington, do hereby certify: That the foregoing deposition of the witness named herein was taken stenographically before me and reduced to a typed format under my direction;

That, according to CR 30(e), the witness was given the opportunity to examine, read, and sign the deposition after same was transcribed, unless indicated in the record that the review was waived;

That I am not a relative or employee of any attorney or counsel or participant and that I am not financially or otherwise interested in the action or the outcome herein;

That the witness coming before me was duly sworn or did affirm to tell the truth;

That the deposition as transcribed is a full, true and correct transcript of the testimony, including questions and answers and all objections, motions, and examinations, and said transcript was prepared pursuant to the Washington Administrative Code 308-14-135 preparation guidelines;

That as a matter of firm policy, the stenographic notes of this transcript will be destroyed three years from the date appearing on this transcript, unless notice is received otherwise from any party or counsel on or before said date.

  
\_\_\_\_\_  
GLORIA C. BELL, CCR  
State of Washington CCR #3261